

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

**JUSTIN DEAN HILL,**

Plaintiff,

v.

**SHERIFF FRANK SKRAH, et al.,**

Defendants.

**MOSMAN, J.,**

No. 1:16-cv-00492-PK

OPINION AND ORDER

On March 14, 2017, Magistrate Judge Paul Papak issued his Findings and Recommendation (“F&R”) [41], recommending that Defendants’ Motion for Summary Judgment should be GRANTED. Plaintiff failed to object to the F&R.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

*Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon careful review, I agree with Judge Papak's recommendations and I ADOPT the F&R [41] as my own opinion. Defendants' Motion for Summary Judgment is GRANTED and Plaintiff's claims are DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 11th day of April, 2017.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
Chief United States District Judge